

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Pedro Perez

Docket No. 5:15-MJ-1859-1

Petition for Action on Probation

COMES NOW Eddie J. Smith, Supervising U.S. Probation Officer of the court, presenting a petition for modification of the Judgment of Pedro Perez, who, upon an earlier plea of guilty to 18 U.S.C. § 13, assimilating N.C.G.S. 20-138.1, Driving While Impaired (Level 5), was sentenced by the Honorable Robert T. Numbers, II, U.S. Magistrate Judge, on December 09, 2015, to 12 months probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant is currently being supervised in the District of Colorado by U.S. Probation Officer Carlos Escobedo. Officer Escobedo reports that the defendant admitted to using marijuana on or about February 18, 2016. The defendant has also submitted diluted urine specimens on numerous occasions. On June 3, 2016, the defendant failed to submit to a random urinalysis as instructed. When confronted on June 6, 2016, the defendant admitted to Officer Escobedo that he had been consuming alcohol excessively and drove home while intoxicated. He reported that he consumes alcohol and illicit drugs to self-medicate for mental health issues. At this time, Officer Escobedo is requesting that the conditions of supervision be modified to include drug/alcohol treatment and testing as directed, participate in mental health counseling as directed and comply with any medications prescribed by his therapist.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate in and successfully complete a program of testing and/or treatment for substance abuse, as approved by the probation officer, until such time as the defendant is released from the program by the probation officer. The defendant shall abstain from the use of alcohol or other intoxicants during the course of treatment and shall pay the cost of treatment as directed by the probation officer.
2. The defendant shall participate in and successfully complete a program of mental health treatment, as approved by the probation officer, until such time as the defendant is released from the program by the probation officer. The defendant shall pay the cost of treatment as directed by the probation officer.
3. The defendant shall remain medication compliant and shall take all medications that are prescribed by his treating psychiatrist. The defendant shall cooperate with random blood tests as requested by his treating psychiatrist and/or supervising probation officer to ensure that a therapeutic level of his prescribed medications is maintained.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: 910-354-2537
Executed On: July 01, 2016

ORDER OF THE COURT

Considered and ordered this 12th day of July, 2016, and ordered filed and
made a part of the records in the above case.

Robert T. Numbers, II

Robert T. Numbers, II
U.S. Magistrate Judge